

Exhibit 1

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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

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13 IN RE: SOCIAL MEDIA
14 ADOLESCENT
15 ADDICTION/PERSONAL INJURY
16 PRODUCTS LIABILITY LITIGATION

Case No. 4:22-MD-03047-YGR

MDL No. 3047

17
18 This Document Relates to:

19
20 ALL SCHOOL DISTRICT ACTIONS

**[PROPOSED] STIPULATED
IMPLEMENTATION ORDER
GOVERNING SCHOOL DISTRICT
PLAINTIFF FACT SHEET AND
SUPPLEMENTAL PLAINTIFF FACT
SHEET**

21 **I. APPLICABILITY AND SCOPE OF ORDER**

22 1. This Implementation Order (“Order”) applies only to School District Plaintiffs and
23 sets forth the procedures for the exchange of the School District Plaintiff Fact Sheet and
24 Supplemental School District Plaintiff Fact Sheet.

25 2. The Parties met and conferred and received guidance from the Honorable Carolyn
26 B. Kuhl, Judge of the Superior Court of the State of California, County of Los Angeles and agreed
27 that the School District Plaintiff Fact Sheet (SD-PFS) attached as **Exhibit A** and Supplemental
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School District Plaintiff Fact Sheet (SUP-SD-PFS) attached as **Exhibit B** should be adopted for use in this MDL.

3. The Parties have further agreed that the requirements below should be adopted for the implementation of the SD-PFS and the SUP-SD-PFS in this MDL.

II. THE SD-PFS AND SUP-SD-PFS FORM(S)

4. Each School District Plaintiff in any action filed in or transferred to this MDL must complete and serve verified, written responses to the SD-PFS (attached as **Exhibit A**) and SUP-SD-PFS (attached as **Exhibit B**), together with any responsive documents. Every School District Plaintiff is required to provide an SD-PFS and a SUP-SD-PFS that are substantially complete in all respects.

5. For the SD-PFS and the SUP-SD-PFS to be “substantially complete,” the responding School District Plaintiff must: (a) answer the questions contained in the SD-PFS and the SUP-SD-PFS to the best of their ability, and (2) provide all applicable responsive documents.

III. SERVICE AND TIMING OF THE SD-PFS AND SUP-SD-PFS AND RELATED MATERIALS

6. The deadlines for service of verified written responses together with any document for the SD-PFS and SUP-SD-PFS are as follows:

	SD-PFS DEADLINE	SUP-SD PFS DEADLINE	
A School District Plaintiff whose case was on file or transferred to this MDL as of March 1, 2024	April 1, 2024	Bellwether School District June 1, 2024	Non-Bellwether School District October 1, 2024
A School District Plaintiff whose case was filed or transferred to this MDL after March 1, 2024	No later than 90 days of their case being filed or transferred to this MDL, whichever is later	Same as SD-PFS (No later than 90 days of their case being filed or transferred to this MDL, whichever is later)	

1 **IV. TRANSMISSION OF PFS AND OTHER DOCUMENTS TO DEFENDANTS**

2 7. To complete and serve the SD-PFS and the SUP-SD-PFS, the Parties have agreed
3 to utilize the online “MDL Centrality” platform provided by BrownGreer PLC and accessible at
4 MDLCentrality.com. All questions regarding the use of MDL Centrality should be directed to
5 MDLCentrality@browngreer.com.

6 8. With the exception of objections for privilege, each School District Plaintiff shall
7 submit and serve the SD-PFS and the SUP-SD-PFS, together with all applicable appendices and
8 any responsive documents, without objection, by submission to MDL Centrality.

9 9. Responses to the questions contained in the PFS shall be treated as verified
10 responses to interrogatories and, where documents are requested, they shall be treated as responses
11 to requests for production of documents under the Federal Rules of Civil Procedure. All responses
12 will be governed by the standards applicable to written discovery responses under the Federal Rules
13 of Civil Procedure. If a School District Plaintiff’s case is selected for additional case-specific
14 discovery, the School District Plaintiff must timely supplement or correct the SD-PFS and the SUP-
15 SD PFS in accordance with Federal Rule of Civil Procedure 26(e).

16 10. The information that each School District Plaintiff must provide pursuant to this
17 Order, including completing, submitting, and serving an SD-PFS and a SUP-SD-PFS and
18 responsive documents, is without prejudice to Defendants’ right to propound or seek additional
19 non-duplicative discovery in the future, and nothing in the SD-PFS or the SUP-SD-PFS shall be
20 deemed to limit the scope of that discovery, including any inquiry at any deposition. Neither the
21 SD-PFS nor the SUP-SD-PFS shall count against the numeric limits for written discovery in the
22 School District cases set by Magistrate Judge Kang.

23 **V. DEFICIENCY DISPUTE RESOLUTION**

24 11. If a School District Plaintiff has not served a substantially complete SD-PFS and
25 SUP-SD-PFS as defined in Paragraph 5, Defendants may send a Notice of Deficiency via MDL
26 Centrality that identifies the alleged deficiencies. If Defendants elect to send a Notice of Deficiency,
27 Defendants shall serve the Notice of Deficiency within sixty (60) days of receipt of the SD-PFS or
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1 SUP-SD-PFS.

2 12. Following receipt of the Notice of Deficiency, School District Plaintiffs shall have
3 thirty (30) days to jointly meet and confer with Defendants regarding the perceived deficiencies
4 and possible resolution by amendment to the SD-PFS and SUP-SD-PFS or the submission of
5 additional documents.

6 13. Notwithstanding the foregoing language, Defendants reserve the right to seek (after
7 meeting and conferring with Plaintiffs' Lead Counsel and the Plaintiffs' Co-Chair of the Local
8 Government Entity Committee) Court intervention if Plaintiffs do not serve substantially complete
9 SD-PFSs on April 1, 2024, to permit the meaningful completion of bellwether selection on April
10 15, 2024.

11 14. The parties will meet and confer over a deficiency process for School District cases
12 filed or transferred to this MDL after the date this Order is entered.

13 **VI. CONFIDENTIALITY**

14 15. Information provided pursuant to an SD-PFS and SUP-SD-PFS is deemed
15 confidential and will be subject to the terms of the Protective Order entered in this MDL.

1 **VII. ADMISSIBILITY OF EVIDENCE**

2 16. The Federal Rules of Evidence shall govern the admissibility of information
3 contained in the SD-PFS and SUP-SD-PFS. Nothing in the SD-PFS and SUP-SD-PFS or this Order
4 shall be deemed to limit the admissibility of evidence during this proceeding, including at trial.
5 This paragraph does not prohibit a Party from withholding or redacting information based upon a
6 recognized privilege. Documents withheld on the basis of privilege shall be logged consistent with
7 the Federal Rules of Civil Procedure and any applicable orders of this Court except that a School
8 District Plaintiff is not required to log privileged communications occurring after the date Plaintiff
9 retained counsel between the Plaintiff and their counsel. The Plaintiff is also not required to log
10 drafts of the SD-PFS and SUP-SD-PFS.

11 **IT IS SO ORDERED,**

12 Dated: _____, 2024

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15 Yvonne Gonzalez Rogers
16 United States District Judge
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